

1 of 4

## **EXHIBITS PLAINTIFF'S REPLY TO WP 479**

### **Plaintiff's Statement #1**

**EXHIBIT #1** Proof of Filing Declaration and Exhibits on April 17, 2023

**EXHIBIT #2** Re-Presenting Representation VI Exhibit Arnot Art Museum Pl.Evid 000382  
Pl. Evid 000383 and 000384. Plaintiff's Evid. 000389

**EXHIBIT #3A** Plaintiff 2004 Staten Island Institute of Arts and Sciences Brochure for my Solo  
Exhibit Pl. Evid 000108, 000109, 000110, 000111, 000112 and 000113.  
**3B** Detail Quote by Bart Bland *Annamarie Trombetta, a realist painter.*

**EXHIBIT #4** Photo of Plaintiff & Park Commissioner Henry Stern at Plaintiff Solo Exhibit Dana  
Center Central Park at 110th Street. Pl. Evid.000254.

**EXHIBIT #5** Plaintiff's Catalog with Copyrighted self authored Biography Sold at the  
Staten Island Institute of Arts and Sciences Gift shop  
Plaintiff catalog with Biography -COPYRIGHT INFRINGEMENT TEXT  
Pl.Evid to 000085, 000086, 000087, 000088, 000089, 000090, 000091, 000092,  
000093, 000094, 000095, 000096, 000097, 000098, 000099, 000100, 000101,  
000102, 000103, 000104, 000105, 000106 and 000107.

**EXHIBIT #6** Pl. Evid Who's Who In American Art 000235 and Pl.Biography in 000236

**EXHIBIT #7** Plaintiff's photos with The His Holiness the Dalai Lama, Pl. Evid ,000257

**EXHIBIT #8** Plaintiff with Mayor Bloomberg Pl. Evid. 302

**EXHIBIT #9** Plaintiff with Mayor Guiliani Pl. Evid. 304

### **Plaintiff's Statement #2**

**EXHIBIT #10** Pl. Evid. Pages of Plaintiff's rough draft from my sketchbook.

**EXHIBIT #11** Letter from Friend and Colleague Vanessa Ploski Pl. Evid.000228

**EXHIBIT #12** Vanessa Ploski deposition page 22 Plaintiff's signature. Vanessa Ploski  
Deposition on Plaintiff biography and website pages 32 to 36.

**EXHIBIT #13** Plaintiff REQUEST NOT TO MAKE SIGNATURE information made public.  
Vanessa Ploski deposition pages 18-22.

**EXHIBIT #14** Copyright Registration No. TX 8-655-807. Pl.Evid. 000118



EXHIBIT #1

18-CV-0993-Plaintiff's Summary Judgement , Declaration and Rule 56.1

Annamarie Trombetta <atrombettaart@gmail.com>  
To: Temporary\_Pro\_Se\_Filing@nysd.uscourts.gov

Mon, Apr 17, 2023 at 11:55 PM

Date

April 17,

2023

\* Declaration of Annamarie Trombetta with Exhibi... \*

To Whom it May Concern in the Pro Se Office:

Plaintiff Annamarie Trombetta  
Address 175 East 96th Street (12 R)  
New York, New York 10128  
Telephone (212) 427-5990

I, Annamarie Trombetta am the Flier in case 18-CV-0993

Pro Se Plaintiff is filing

Kindly file the motion in case Cv-18-0993.  
I thank you in advance for your anticipated cooperation.

Sincerely,

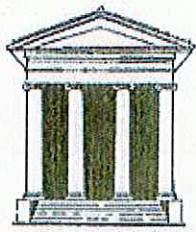
Annamarie Trombetta

2 attachments

Memorandum of Law in Support of Plaintiff's Motion for Summary Judgement.pdf  
2311K

Rule 56.1 .pdf  
142K





ARNOT  
ART  
MUSEUM

Plaintiff's Evidence 000389

EXHIBIT #2 A

December 2, 2002

235 LAKE STREET  
ELMIRA, NEW YORK 14901-3191  
607-734-3697  
FAX 607-734-5687

Ms. Annamarie Trombetta  
175 E. 96<sup>th</sup> Street  
Apt. 14P  
New York, NY 10128

Re: Re-presenting Representation VI

Dear Annamarie:

I am enclosing the loan agreement for the following works of art that our Director/curator, John O'Hern has requested to borrow for the above exhibit.

Annamarie Trombetta  
*Cardinal Numbers I* - oil

Please review the agreement and correct or complete any information regarding the art work that is missing (highlighted in yellow). **All of the information on the forms must be complete in order for me to get the information accurately in our catalogue and for our records. If you do not have this information, please let me know as soon as possible.** Please sign at the bottom by the red x and return to me in the enclosed postage paid envelope. I will forward a fully signed copy back to you.

If you have a transparency, please forward it with this loan agreement. **I must have slides or transparencies by December 10, 2002 for possible inclusion in our catalogue.**

We will be in touch regarding shipping arrangements. Please make sure you specify clearly on the loan from there pick up of the art work will be. I expect pick up in the NYC area in early March, 2003. If you have any questions or concerns regarding the loan, please feel free to call me (607) 734-3697 ext. 131. My email is: maryhickey@arnotartmuseum.org

Sincerely,

Mary C. Hickey  
Director of Operations  
Encs.

PS. Here is the catalogue from our last exhibit! Hope you like it.

EXHIBIT #2B

Plaintiff's  
Deposition  
Response Plaintiff's Evidence 000382

# RE-PRESENTING REPRESENTATION VI

ARNOT ART MUSEUM  
ELMIRA, NEW YORK

RE-PRESENTING REPRESENTATION VI—THE WEST  
ROCKWELL MUSEUM OF WESTERN ART  
CORNING, NEW YORK

APRIL 11–AUGUST 31, 2003

## SPONSORS

Cornell Foundation

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Mr. and Mrs. Richard D.

Graham and Margaret

Peter Gallery



Plaintiff's  
Deposition  
Response

Plaintiff's Evidence 000384

Annamarie Trombetta  
American, b. 1963  
*Cardinal Numbers I*, 2001  
oil, 12 x 12"  
Courtesy the Artist

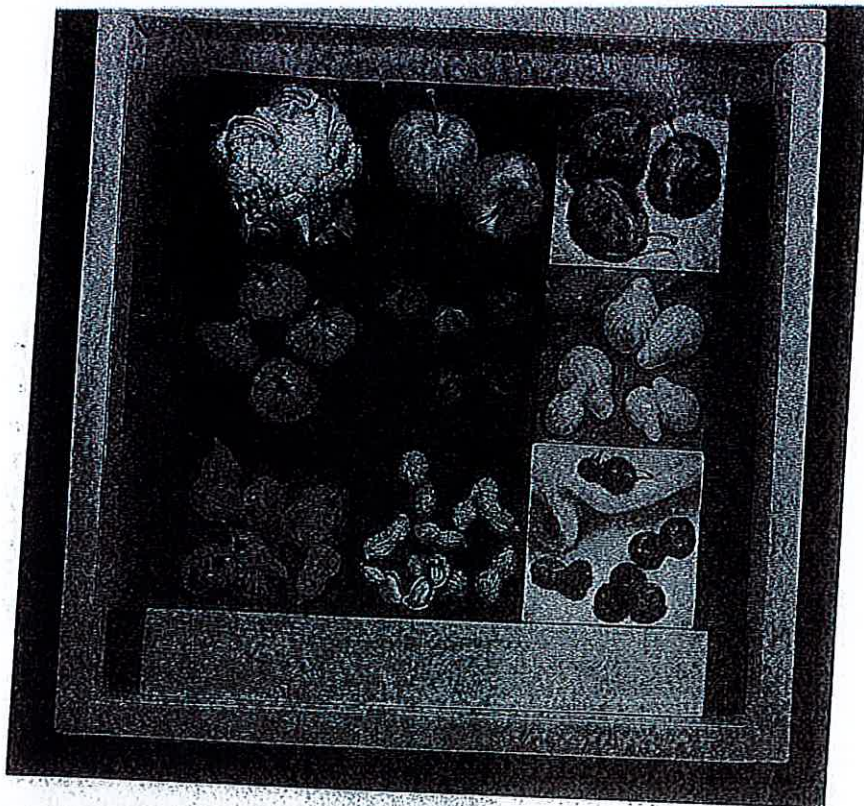


EXHIBIT #2C

oil on painted wood, 11-3/4 x 30-1/2 x 12-3/4"  
Courtesy Owings-Dewey Fine Art, Santa Fe, NM

RE-PRESENTING  
REPRESENTATION VI

good/bad, beautiful/ugly. The artist connects the prose and the passion of the body in a work of art with which we are invited to "Only connect."

Ruven Afanador and Flor Garduño are two photographers who make connections in very different ways. Afanador, in his images of young toreodors, brings together in one image the machismo and androgeny, the beauty and gore, and the strength and vulnerability of his subjects and their profession. Garduño celebrates the natural fecundity of her voluptuous models with that of Nature herself in the presence of enormous leaves and flowers.

Luis Tapia and Janet McKenzie have made connections between religious icons and unexpected manifestations. Tapia presents a young, Hispanic St. Michael. McKenzie presents a dark-skinned Jesus surrounded by Native American and Asian symbols.

After ten years of connecting with artists and their remarkable accomplishments I have been enriched beyond any reasonable expectation. Audiences who have seen our exhibitions go away marveling at the work they see. Artists leave inspired by the opportunity to examine a wide variety of work closely, in one place, at one time.

The works in these exhibitions have given us the opportunity to confront truths about ourselves, others, and the world. Each of us has connected in his own way with the art, the artists, and the universal conscious revealed in us all. We have encountered the "something else." Our isolation from the world, from others, and from parts of ourselves is lessened by our encounters with art.

As Forster further advises us: "Live in fragments no longer."

John D. O'Hern  
Executive Director and Curator  
Arnot Art Museum

Plaintiff's  
Deposition  
Response

Plaintiff's Evidence 000383

EXHIBIT  
2D

Jan  
Jesu  
oil  
Cou



Confidential

Plaintiff 000108 ©

EXHIBIT  
Artists/Ideas Series

vol.2

#301



**ANNAMARIE TROMBETTA**  
*Plein Air Paintings: Central to Staten Island*

June 17 - October 17, 2004

Staten Island Institute of Arts & Sciences



Confidential Plaintiff 000109 ©

# ANNAMARIE TROMBETTA

## *Plein Air Paintings: Central to Staten Island*

EXHIBIT

#3(2)



Tibetan Museum Mandala, 2001

### Introduction

by Bartholomew Bland, Senior Vice President for Collections and Exhibitions, Staten Island Institute of Arts and Sciences

For this second installation in the Staten Island Institute's *Artists/Ideas* series, the Institute is pleased to present the work of Annamarie Trombetta, a realist painter working in the traditional academic style, who favors the rigor and spontaneity of plein air painting. Trombetta is an accomplished painter who has spent years developing her craft. Her images are elegant, refined, and accessible to the viewer. However, her use of unusual canvas structure and multi-paneled paintings that create sculptural presence, elevate her work beyond the merely pretty. Trombetta's paintings aspire to a particular kind of beauty. This in itself may be considered somewhat unusual for an artist during a period when the art world has frequently viewed the goal of beauty, in and of itself, as an insufficient justification for making serious art. This attitude was linked with a scorn for realist painting found in much of the art world during the second half of the twentieth century. However, this attitude is rapidly changing, as the much ballyhooed resurgence of realist painting rides an increasing wave of critical acceptance.

Realism is a misleading word in art, for the content of any painting is, of course, never real. Rather, it is the reality of the artist, filtered through a series of artistic conventions. Trombetta's images at first glance may appear straight forward, but each landscape is a series of conscious choices in which the artist carefully determines what she wants the viewer to "see". In an age when digital manipulation has called into the question the "reality" of even the most detailed photograph, it may be illuminating to consider Trombetta's landscapes as a series of editorial choices.

*Lighthouse Diptych* is a good example of Trombetta's work illustrating those choices. To start, the viewer should consider the format Trombetta has chosen for this work. The painting uses a traditional diptych (a two part painting, usually hinged like a book) format that was popular in Medieval and Renaissance painting. The format was considered ideal for showing dual or contrasting natures;

often the format was used to display saints representing complimentary virtues. In *Lighthouse Diptych*, Trombetta has replaced the traditional representation of saints or martyrs with images of a lighthouse shown in two dramatically different lights. The sun and the encroaching storm each suggest diametric opposites.

The real subject matter of this painting, and indeed most plein air painting, is light, and Trombetta uses the "light" house as both pun and link between her implicit and explicit subject matter. That it is the same lighthouse, the viewer is left in little doubt, and at first glance they may appear to be the mirror images of one another. However, Trombetta has shifted the perspective, rotating her (and the viewer's) position around the canvas. By changing the position, Trombetta allows us to see how the "reality" of the lighthouse changes in time and space. This suggestion of the passage of time gives a sense of dynamism to an otherwise static piece. Here, Trombetta is responding to the famed series paintings by Monet, who made iconic images out of structures as modest as haystacks and as grand as Rouen Cathedral. In each case the structure depicted serves as a foil for the true subjects of the picture: atmosphere and light. Although the images are painted from different angles, Trombetta has unified the composition by allowing the sky and scenery of each panel to flow into the other. The lighthouse in the bright side of the picture is slightly larger and forward in the picture plane, allowing it to subtly dominate the composition. A nineteenth century reading of American landscape painting, most famously in the works of Thomas Cole, often showed the contrast between storm and sun, and viewers would have been quick to pick up on the suggestion of the "triumph of light" as a religious allegory.

The lighthouse is a well-known local landmark, but it has been rendered as monumental and abstract from time and place. The strong vertical thrust of the picture leaves the lighthouse constricted, and Trombetta carefully depicts the rust that suggests decay and disuse. Moreover, the lighthouse is shown in an arcadian setting that removes it from any visible body of water. Trombetta disengages the lighthouse from its utilitarian purpose and allows the viewer to contemplate the aesthetic appeal of its form and structure.



EXHIBIT #3 (3) Confidential Plaintiff 000110 ©

**Annamarie Trombetta's *Plein Air* Painting  
by Judith Whitbeck, Curator, The Chinese Scholar's Garden  
Staten Island Botanical Garden**

Painting on site in a natural setting makes possible the representation of what a painter sees at a moment in time. Annamarie Trombetta excels in rendering architectural structures and sculptural forms in natural settings in ways that stay true to the objects themselves and yet invite one to view the object oneself. Combining enduring transitory moments in a natural setting has been a hallmark of her work.

Her paintings of landmark sites on Staten Island all strive to represent the structure in a straightforward manner, portraying a close-likeness of the structure while capturing the magical quality of light and shadow cast on, or near, the structure. Her painting of a wisteria pergola continues this trend, playing with cool shadow cast by warm light and cool light casting warm shadow. She renders the enchanting quality of ambience of light and atmosphere with the purple blossoms basking in sunlight and the frame of the pergola casting shadow on the ground.

Her series of *en plein air* paintings in New York's Central Park take a new turn, presenting other possibilities for *plein air* painting. Despite the representational aspects of these paintings and the fact that they are done on location, she has begun to re-present them as more than a scene one might encounter were one to approach the site. Geometric forms—triangles and hexagons—frame the *plein air* image, defining spaces from which the central object emerges. She selects from the scene what she wants the viewer to see. The images are presented as edited works of art.

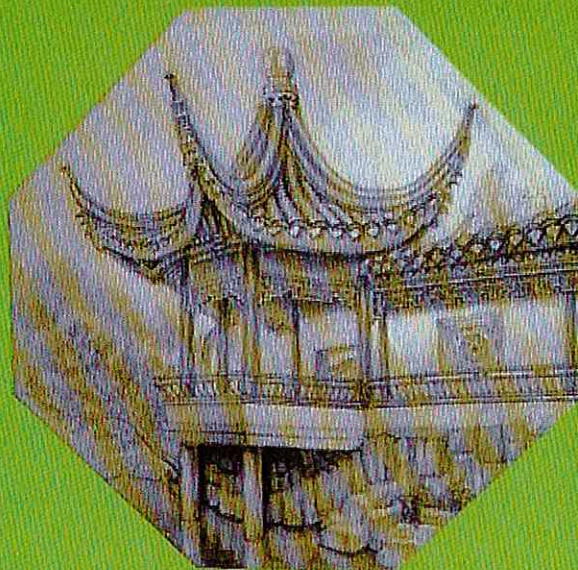
Emphasis on appreciating abstraction within the natural world, and the play of complementary forms, textures, tones—abstract/concrete, smooth/rough, light/dark—are playfully used, but seriously presented. Within the picture frame, particular perspectives emphasize geometric arcs and

triangles. She remains true to the original structure, but forces us to appreciate her work more as a personal response to the object depicted.

The triangle format frames many of her works, lending them status as icons (which in fact they have become). The format seems to function differently for each work. Endurance is the theme of including *Cleopatra's Needle*, 1999. But there is a note of irony here. The obelisk appears in soft light and as an object that has stood the long passage of time. The choice of triangular frame and the reduction of surrounding elements to highlight circles, lines, arcs—all ideal, abstract forms, plays against the weathered surface of obelisk.

The most familiar icon of Central Park is the Angel of the Waters Fountain at Bethesda Terrace. An angel bearing a lily, the symbol of purity, sets atop a series of basins. Below the angel are four figures (three of which are depicted here) representing peace, health, purity and temperance. Cropping of the image of the Bethesda Fountain to utilize the brickwork and rim of the basin moves us into the picture. By highlighting the angel, she creates for us a sincere iconic presentation of the healing quality of water. The figure of the angel seems to spring forward from the background of lush green trees, which also draw life from water. The triangular black frame also allows the artist to heighten the white tones on the bronze figures and the clarity of the healing waters.

With the Burnett Memorial Fountain, Trombetta conspicuously plays with space and time. Positioned at one end of a pool, a bronze sculpture depicts two figures: a reclining boy playing the flute and a girl standing with a bowl that functions as a birdbath. Bessie Potter Vonnoh's sculpture is believed to depict Dickon and Mary, the main characters of the children's classic, *The Secret Garden* (1909) by Frances Hodgson Burnett. Trombetta painted four versions of this sculpture, which can be arranged in sequence horizontally, vertically, or in a diamond pattern.



Chinese Scholar's Garden



Confidential

Plaintiff 000111 ©



*Wisteria Arbor Mandala, 1994*

Trombetta's playfulness and insistence on viewers appreciating the sculpture through time and space is clearly apparent when the hexagonal shapes are displayed in horizontal sequence. Beginning with the full view of the pond, the sculpture is viewed from behind. To explore the activity on the other side, one must walk around it. This is precisely what she does in the other three images, which also form a coherent (abstract) image focusing on the rim of the pool. By selecting high summer for her work, she also plays with the subtle blend of pinks, greens, and gray tones of the site itself.

***Plein Air Imagery / The Intention and The Intercultural Intercurrents***  
by Annamarie Trombetta

*"We are Born into the world of nature; our second birth is into the world of spirit"—*

Bhagavad Gita

The French term "en plein air" literally means in open air relating to outdoor daylight. In Italian the term is *alfresco*. This painting process was made possible by the introduction of portable metal tubes used to hold and transport the pigments, replacing pig bladders. The invention of these tubes by John Rand coupled with the scientific discoveries by chemist/scientist M. E. Chevreul, which took place in the mid 1800's, had a profound effect on the visual arts.

Color, like perspective, form and shape combines an objective scientific reality with the expansive reality of an artist's eye. It is this willingness to open the soul to the powers in nature that creates the interpretations, meaning and personal perceptions in my work. The vicissitudes of working within nature's elements, particularly the changing light has cultivated a sense of patience and understanding

about the patterns of nature that I consciously choose to articulate. Each lighting condition creates a mood that reveals the true personality or spirit of the image that I attempt to preserve in time. My investment of time, emotion and patience translating colors, shapes and atmosphere yield the stylistic vision.

My inclination to work on shaped canvases led me to search for the deeper symbolic meaning in shapes. Each form of worship be it Judaic, Islamic, Hindu, Christian, Buddhist, Native American, or any other uses elemental geometric shapes to design architectonic centers of worship and also to create icons of art. The significance of shape and form is equally apparent in the world of the sciences. From the smallest atom, any form in the universe consists of a composition or an arrangement of geometric configurations. I am interested in the balancing the contrast in the knowledge equated to shape from these opposite fields.

The images featured in this exhibition encapsulate a host of visual expressions, many of which synthesize the pristine architecture of nature conversely with the nature of architectural designs. In contemplating the essence of my predilections and passion for working en Plein Air, I believe that there is and will always be an indispensable kindred force that humanity has with nature. This affinity with nature is most evidently seen in the objects, texts and architectural structures that can be perceived as tangible reminders from past civilizations that are still alive in their existence in our present world. My desire is to expand humanity's affinity with nature by creating a legacy of lyrical landscapes which are delicately saturated in symbolic interpretations and yet are concentrically referential to other cultures in the context of time,- i.e.- creating-the Perceptible Linguistics of a Verisimilitude Vision.



EXHIBIT #3  
#3  
(5)  
Confidential

Plaintiff 0000112 , ©



Acesension Decesnsion, 1998

Many of the paintings in the exhibit, including *Cleopatra's Needle*, 1999 and *Bethesda Fountain*, 2000, (painted in Central Park) as well as *Tibetan Museum Mandala*, 2001 and *Garibaldi/Meucci-Mapping out a Museum*, (painted in Staten Island) originated from the ideas mentioned above. Selecting an image is a "love at first sight" experience. The idea to paint multiple views of the same subject as seen in *The Voorlezer House*, 2001; *The Secret Garden Hexagons*, 2000 and *Lighthouse Diptych*, 2001 harkens back to a trip to New Mexico. It is profound to learn how the Native Indians from all the Americas are connected to the earth, the spirit, and the four cardinal directions. Their beliefs resonate with Hinduism—an influential source that assisted in creating *Wisteria Arbor Mandala*, 1994. The series of petite "Poetry Paintings" was inspired by a trip to Ireland in 1991. At other times the conceptual execution for my artwork is inspired under the auspices of my dreams and draws on research related to the specific location. In my research, I discover fructifying facts that illuminate the roles of historical characters related to the subject matter in the art. In my opinion, our lives are richer due to their conscious efforts and I find their pioneering endeavors motivating and the unexpected chain of cultural coincidences delightfully amusing.

Related to my paintings are facts of interest that show the interconnectedness of people and places. The transportation of *Cleopatra's Needle* from Egypt to New York in the late 1880's was due to the patronage of William Henry Vanderbilt who is buried in the Vanderbilt Family Mausoleum in Moravian Cemetery in Staten Island, New York. Director Cecil B. de Mille (*The Ten Commandments*), who recalls playing near the obelisk and found it inspirational, donated plaques translating the hieroglyphs. Bethesda Fountain's sculptress Emma Stebbins became the

first female in New York to receive a major public art commission and she used that opportunity to transform, via her sculpture, the traditional male angel into a female angel—the original creation of Sister Seraphim! "Edna" Klauber, also known as Jacques Marchais, was one of the first female art dealers in Manhattan and was the brilliance behind the building of The Tibetan Museum. In 1991, the Dalai Lama visited the museum to consecrate the newly conserved art commenting on the importance of the preservation of his culture via the building and the art it houses. These references are fractional reflections germinating both the futuristic spirit and the historical relevance that collectively assist in changing the world we live in.

The motivation to paint Central Park and the Garibaldi/Meucci Museum stems from the association of artists who influenced the development of each place. Contributing to my growth as a plein air artist is a group of nineteenth century Italian painters known as the Macchiaioli. This group of consanguineous artists believed that spontaneous spots of color directly painted from nature embodied the most important aspects of painting. These artists, who preceded the French Impressionists by a decade, were also involved in the unification of Italy and fought with Giuseppe Garibaldi. Their historical relevance politically and professionally inspired me to create *Garibaldi/Meucci-Mapping out a Museum*. Similar to the Macchiaioli were a group of American artists known as the Hudson River School. This group of landscape painters and their personal association with writer William Cullen Bryant captured and initiated a love for nature that eventually led to the creation of Central Park. This connection between literary and visual art is an ongoing theme in some of my Central park scenes

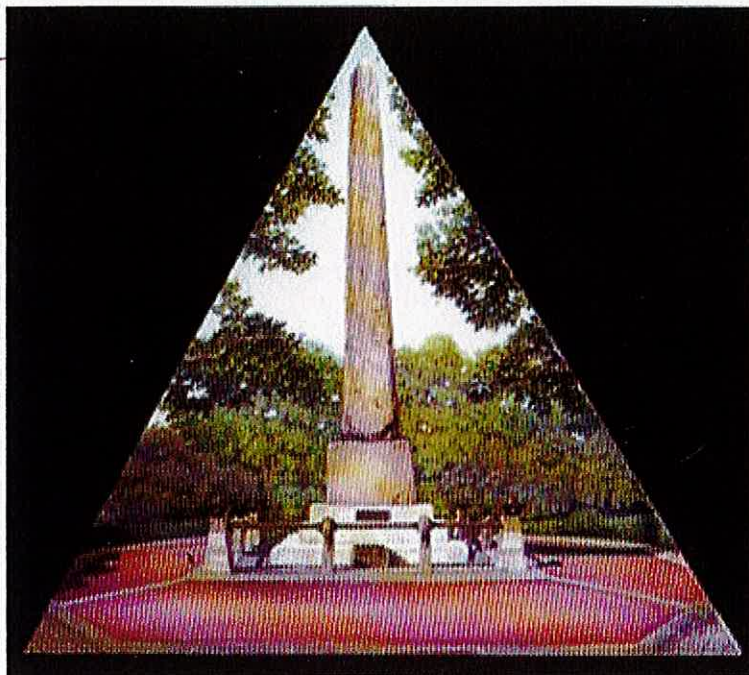


Confidential Plaintiff 000113 ©

At times, as I work on a project, events will converge mystically, allowing me to envision the many facets to the nature of life. It is worth noting that the Egyptian and the Tibetan cultures both produced classic treatise entitled *The Book of the Dead*. The two philosophical texts that I read during the creation of the interrelated paintings *Cleopatra's Needle*, 1999 and *Tibetan Museum Mandala*, 2001, are about the journey of the soul in the afterlife. The concepts of rebirth and death are also synonymously relevant to each of the books and are reflected in the artwork created by these cultures. During the creation of *Cleopatra's Needle*, a serendipitous exhibition was taking place at the Metropolitan Museum of Art. I was quite surprised to learn that the exhibit on view was *Egyptian Art in the Age of the Pyramids*-a timely coincidence that was followed by the crash of Egypt Air flight 990. The following year, in search of regeneration, I embarked on painting *Bethesda Fountain*. My spirit knew where to lead me as it knew I needed healing. Bethesda refers to a biblical verse and the ancient healing pools in Jerusalem. The sculptress Stebbins intended the angel to be one of healing, relating to New York's Croton water system.

I won a grant from the Staten Island Council of the Arts to paint *Tibetan Museum Mandala*, and the scene depicted in the painting became the burial site for The Peace Vase Project. This inspiring idea, implemented by Khyentse Rinpoche, tutor to the Dalai Lama, is an attempt to restore peace, harmony and ecological well-being to the planet, and involved the planting of 6,200 Tibetan medicinal treasure vases worldwide. In contrast to this enlightening event, shortly after, came the tragedy of 9/11. The ageless concepts of death and rebirth found in the ancient text imbued a truth that was relevant to the events in the contemporary world. A memorial service at Snug Harbor Cultural Center provided an opportunity to visit the Chinese Scholar's Garden-the country's first authentic garden of it's kind. The beauty of this extraordinary structure in this bucolic setting alleviated my sadness and propelled me to set my ambitions on my new visionary image. I received an encore grant from The Staten Island Council of the Arts to paint in the garden, and the project will be completed this year. It is personally gratifying to have this exhibition at The Staten Island Institute of Arts and Sciences as it is befitting to my beliefs.

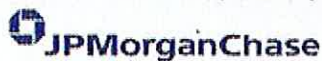
EXHIBIT  
#3  
(6)



*Cleopatra's Needle West, 1999*

This project is supported by an Encore Grant from the Council on the Arts & Humanities for Staten Island, with public funding from the New York State Council on the Arts. Additional support provided by Richmond County Savings Foundation, General Trademark Labels and Soho Art Materials.

The Artists/Ideas Series is supported by:



State of the Arts



NYSCA



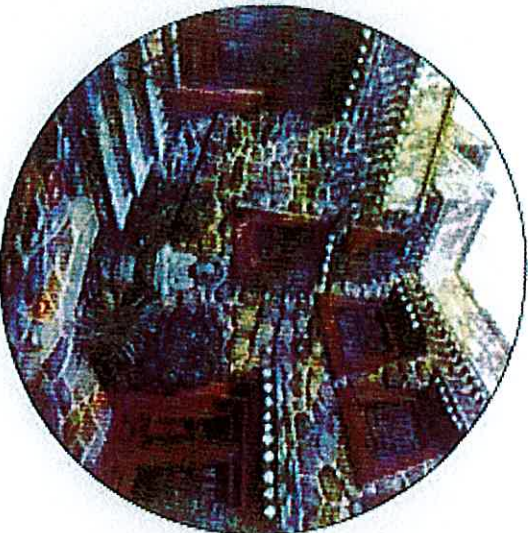


Confidential Plaintiff 000109 ©

# ANNA MARRIE TROMBETTA

## Plein Air Paintings: Central to Staten Island

Realist  
Painter



Tibetan Museum Mandala, 2001

EXHIBIT  
3B

### Introduction

#### by Bartholomew Bland, Senior Vice President for Collections and Exhibitions, Staten Island Institute of Arts and Sciences

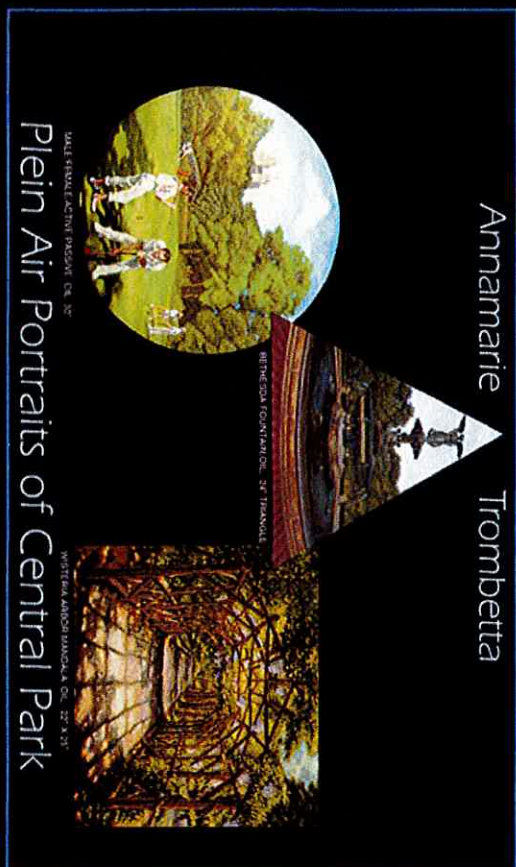
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EXHIBIT  
#4



The Dana Discovery Center  
110th Street, Central Park North



*Artist, Annamarie Trombetta with Stacy Stern  
at the Dana Discovery Center - Central Park Exhibition*